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SUBJECT: DRC ELECTIONS: RUBERWA ALLEGES VOTE "MARRED BY
IRREGULARITIES"

¶1. (U) Vice President Azarias Ruberwa and his party, the Rally for Congolese Democracy (RCD), alleged the DRC's July 30 presidential and legislative elections were "marred by irregularities." In a six-page statement released July 31 by the RCD's secretary general, the party lays out a series of allegations concerning misconduct, intimidation, bribery, and violence it says threaten the country's political and social stability. The RCD has promised that if efforts at undermining the DRC's election laws are not addressed and sanctioned, the party will be forced to initiate legal proceedings challenging election results. In a July 31 press conference, Ruberwa alleged that "massive fraud" was conducted by election workers and other political parties to prevent citizens from voting for RCD (and presumably other) candidates. Ruberwa pledged to keep his protests of the elections peaceful.

¶2. (SBU) Many of the cases noted in the RCD statement are, however, vague, misleading or simply irrelevant. For example, the party mentions the fact that several voting sites and some election material were destroyed before the vote. While true, the Independent Electoral Commission (CEI) responded quickly to these incidents and immediately dispatched replacement equipment to the affected areas on election day. In Eastern and Western Kasai provinces where opposition supporters engaged in violence, voting operations were continued for another day so as to allow all voters the opportunity to cast ballots. As for the "disappearance" of voters' names from electoral rolls, this may simply be a case of voters arriving at the wrong polling station or of names missing due to prior technical errors (which would have resulted in names being printed on separate voter lists). Regarding allegations that more ballots may have been cast at a particular polling station than there were registered voters, it is altogether likely poll workers, Congolese election observers, journalists or traveling government officials may have voted legally at that location. On the whole, many of the charges put forth in the RCD's statement lacks proof.

¶3. (SBU) Certainly some irregularities did occur during the July 30 vote which merit further investigation. CEI President Abbe Apollinaire Malu Malu has said the CEI will take seriously and look into any charges of misconduct or fraud that are brought to the Commission's attention through channels as stipulated by the electoral law. (Note: In an August 2 meeting with the Ambassador and Congressman Donald Payne, to be reported septel, Ruberwa said he intended to forward a dossier of alleged voting irregularities to the CEI for adjudication. End note.)

¶4. (U) Post's unofficial translation of the original French declaration follows:

PRESIDENTIAL AND LEGISLATIVE ELECTIONS IN THE DEMOCRATIC
REPUBLIC OF CONGO

SERIOUS IRREGULARITIES NOTED THROUGHOUT THE COUNTRY MAR THE
RESULTS

According to the reports of witnesses from the majority of political parties, and confirmed by several independent sources (press, religious groups, voters, etc.), the presidential and legislative elections of Sunday, July 30, were marred by all forms of irregularities.

The irregularities occurred in such significant amounts that they skew the results of the voting throughout the country. As such, they strongly discredit the results. If these irregularities are not corrected in short order, they threaten the very political and social stability of the country. The RCD signals all involved, at national and international levels, of the seriousness of the situation which calls into question the legitimacy of the leaders and institutions of the Third Republic.

In order to avoid yet another political and institutional crisis in our country, and in order to keep the process of democratization on track, the RCD invites all actors and institutions involved in the process to consider the more important interests of the nation by taking these problems into consideration.

If, before the declaration of results by the CEI, these attacks on the electoral law are not punished, the RCD

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reserves the right to bring forward any litigation before the courts. In these conditions, our party would then be forced to challenge election results. As will be made clear by the following examples, cases of electoral irregularities under examination are clear at every level.

The list of irregularities in this report cannot pretend to be exhaustive as the amount of transgressions was too great. Our goal is only to highlight the most flagrant examples.

¶1. STUFFED BALLOT BOXES BEFORE THE OPENING OF VOTING STATIONS

Several stations had stuffed ballot boxes. At the opening of voting stations, several witnesses noted that ballot boxes already contained ballots for certain candidates. There is also the case in Limete, in the Kingabwa neighborhood, where a Mr. Gerard Mulumba (aka Gecoco of the PPRD) came to the Wayawaya voting center in possession of a hundred voter cards for which he claimed proxy voting rights. He was accompanied by three persons in a jeep of the National Police (license plate number 0021). Also in Kinshasa, in Lemba (at the Mokengeli voting center) another series of proxy votes was witnessed. In North Kivu, in the Muhambwe region, Mamade Safi, of the PPRD, was caught emptying ballot boxes in order to refill them with ones sympathetic to her party.

¶2. SEVERAL CEI WORKERS CAUGHT AIDING CERTAIN CANDIDATES

In the commune of Matete (Debonhomme neighborhood), in Kinshasa, a CEI worker voted for a female voter thereby violating the neutrality principle. Such cases were repeated on a massive scale, particularly in the case of illiterate voters who were directed to vote for Kabila even though that was not their choice. In Kamituga, more precisely at the Tangila and Kalimbi voting centers, CEI workers systematically pushed older voters to vote for Kabila. The same goes for the Kalehe region in South Kivu. Messrs. Kinyenzire, Kinyanya and Ndabagoyi, all of the CEI, excluded RCD and other political party witnesses in order to push the vote in the direction of Kabila. In Mbuji Mayi, after the closure of the centers, the technical adviser to Governor Kanku of the MLC was caught red-handed as he was being

assisted by CEI agents in filling out ballots in favor of his candidate, JP Bemba.

In Isiro, CEI workers, after the departure of the witnesses, selected all ballots marked No. 32 Ruberwa in order to mark them a second time for other candidates in order to justify their declaration of these ballots as invalid.

13. INTERHAMWE USED TO ORCHESTRATE A VOTE FOR CANDIDATE NUMBER

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In the regions of Miti, Kalonge, Kahungu, Mbayo, Cebati, Mazeza, Mabengu (South Kivu), under the complicit watch of CEI workers, Interhamwe threatened to cut the ears off each person not voting for PPRD candidates. The centers in Nyalubemba, Kigulube, Luyuyu, and Nzevu were also targeted. They particularly insisted that voters vote for Kabila. Elsewhere, it was reported that 23 centers were also assaulted by Interhamwe demanding all voters present to choose Kabila.

14. DESTRUCTION OF VOTING CENTERS

About 50 centers were burned in Mwaka (Western Kasai) by a population disgusted with the behavior of Mr. Boshab of the PPRD (former chief of cabinet for President Kabila), which included the exclusion of other political party witnesses. In Mwene Ditu (Eastern Kasai), the voting center at the Primary School Maweja-Mushindame was burned. In Mbuji Mayi (Eastern Kasai), 184 electoral kits containing diverse voting materials (ballots, lists, etc.) were destroyed.

15. DUPLICATION OF VOTER CARD NUMBERS

In many instances, double voting took place across the country. Thousands of people found out upon arriving at the centers that their ballots had already been marked. Among the more flagrant examples, the press revealed the case of Mr. Urumbu from the Saint Paul center. In Katanga, in certain centers, the number of voters was higher than those actually registered at the center. The same was the case in Kalemie, capital of the Tanganyika District. In fact, in the Bakita center at the location of polling station number 8322, the number of persons enrolled was 1,254, while the number that was registered reached 2,499, revealing an excess of 1,245. The surplus was made up of soldiers' wives en route to Uvira and coming from the Kamina brasserie center. These women voted after the closure of the center at 3pm; they were accompanied

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by the commissioner of Tanganyika District, Mr. Tshimanga Rigobert of the PPRD.

16. VOTER BRIBING

Several cases of clear corruption were exposed. The PPRD distributed banknotes in the areas of Siwabanza at N'djili in order to push the vote in favor of its candidate (Joseph Kabila). The administrator of the Liberty Market in Masina, also from the PPRD, voted in the place of a group of saleswomen. In Kalemie, Katanga province, in front of voting centers, voters received cash from PPRD members. Many cases were also cited against the MLC. For example, Mr. Adam Bombole handed out a lot of cash to voters in front of centers in order to influence their votes.

17. UNJUSTIFIED DISAPPEARANCES OF VOTERS' NAMES

Thousands of registered voters did not find their names on the electoral lists. In Kadutu, in the town of Bukavu (South Kivu), in Bunia (Orientale province), in Goma (North Kivu), thousands of voters could not vote for the simple fact that their names had disappeared from the list. In Bunia, for example, with a total of 4,000 voters, 2,000 voters were not found on the lists. In Kinshasa, this situation, which was common in the communes, was the very basis for the denunciations of fraud by the press. In the Kingabwa neighborhood, in Limete, the CEI was obliged to move certain centers to avoid popular discontent.

18. WITNESSES BLOCKED FROM THEIR DUTIES

In Kabinda (Eastern Kasai), RCD witnesses and several other parties were blocked from center 14. As such, they refused to sign the minutes of the proceedings, and a fiasco ensued. Witnesses from the RCD reported several hundred cases of being hindered from completing their duties. The worst case was without a doubt the incident where Madame Amina was the victim. As an RCD witness, while she was distributing flashlights to her fellow party members, she was arrested and beaten by the police on the orders of a major in the national forces. Badly wounded, she was immediately sent to the hospital. In the majority of cases, witnesses were forced to leave before the end of the operations or their work was hindered, while others were excluded for not having stayed throughout the entire process.

19. MANIPULATION AND FALSIFICATION OF COUNTS TO THE DETRIMENT OF CERTAIN CANDIDATES

Some of the tallies in favor of other candidates than those of the PPRD were altered or recalculated by the heads of centers after the departure of witnesses, causing a grand disparity in the results. This was the case in the center of Bikanga Institute near Nsola in station number 1263B (Kisenso) where candidate 32 (Ruberwa) had accrued a total of nine votes at the signing of the minutes, yet at the time of the publication of the results, this number had been reduced to two. This kind of cheating was made much easier by the simple fact that many initial results were noted in pencil at first.

Signed in Kinshasa, July 31, 2006
Hubert Kabasubababo Katulondi
Secretary General of the RCD

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